

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARRYL PHELPS,

Petitioner,

-v.-

SUPERINTENDENT, *Gouverneur
Correctional Facility*,

Respondent.

20 Civ. 10352 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of Mr. Phelps's April 22, 2024 letter (Dkt. #47). As with Mr. Phelps's April 10, 2024 letter (Dkt. #45), the Court understands Mr. Phelps's April 22, 2024 letter as a request related to Mr. Phelps's 2022 indictment, Ind. No. 70006/22, and subsequent 2023 conviction, stemming from conduct committed in 2021.

The case before this Court concerns Mr. Phelps's 1997 indictment, Ind. No. 10513/97, and subsequent 1998 conviction. Proceedings in this matter concluded on March 28, 2022, when the Court entered an Order (Dkt. #44) dismissing the case as moot, in view of Mr. Phelps's release from custody after a period of imprisonment on his 1998 conviction. Because this case relates only to Mr. Phelps's 1998 conviction, there is no basis for this Court to review any challenge to Mr. Phelps's 2023 conviction (or related imprisonment) in the context of this case.

The Clerk of Court is directed to send a copy of this Order to Mr. Phelps at the following address:

Darryl Phelps (23-B-1088)
Elmira Corr. Fac.
P.O. Box 500
Elmira, NY 14902-0500

The Clerk of Court is further directed to terminate the pending motion at docket entry 47.

SO ORDERED.

Dated: April 24, 2024
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge